



Order Filed on August 30, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1

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and Debtors-in-Possession*

In re:

NATIONAL REALTY INVESTMENT ADVISORS,
LLC, *et al.*¹

Debtors.

Chapter 11

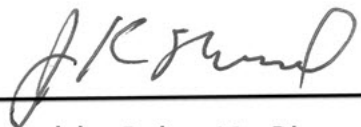
Case No. 22-14539 (JKS)

(Jointly Administered)

**ORDER AUTHORIZING THE DEBTORS
TO ASSUME CERTAIN CONSTRUCTION CONTRACTS**

The relief set forth on the following pages, numbered two (2) through and three (3), is hereby **ORDERED**.

DATED: August 30, 2022



Honorable John K. Sherwood
United States Bankruptcy Court

¹ A complete list of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' claims and noticing agent at <https://omniagentsolutions.com/NRIA>. The location of the Debtors' service address is: 1 Harmon Plaza, Floor 9, Secaucus, New Jersey 07094.

Page: 2

Debtor: National Realty Investment Advisors, LLC, *et al.*

Case No. 22-14539

Caption: Order Authorizing the Debtors to Assume Certain Construction Contracts

Upon consideration of the motion (the “**Motion**”)² of the Debtors for entry of an order this (“**Order**”) (a) authorizing the Debtors to assume the Construction Contracts, (b) authorizing payment of cure costs, and (c) granting related relief; and it appearing that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157(b) and 1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey, entered on July 23, 1984, and amended on September 18, 2012 (Simandle, C.J.); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having determined that granting the relief requested in the Motion is in the best interests of the Debtors, their estates and creditors; and it appearing that notice of the Motion is sufficient under the circumstances; and any objections to the requested relief having been withdrawn or overruled; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is granted to the extent set forth herein.
2. The Debtors are hereby authorized, but not directed, to assume the contracts listed on Exhibit A hereto (the “**Assumed Construction Contracts**”) pursuant to sections 105(a) and 365(a) of the Bankruptcy Code.
3. Upon assumption of the Assumed Construction Contracts pursuant to paragraph 2 hereof, the Assumed Construction Contracts shall be deemed valid and assumed as of the date of this Order and the Debtors are authorized to perform the Assumed Construction Contracts according to their terms.
4. The Debtors are authorized and directed to pay the cure costs associated with the Assumed Construction Contracts upon assumption thereof.

² Capitalized terms used but not defined shall have the meanings ascribed to them in the Motion.

Page: 3

Debtor: National Realty Investment Advisors, LLC, *et al.*

Case No. 22-14539

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5. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

6. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.

7. The Debtors shall serve by regular mail a copy of this Order and the Motion on all parties required to receive such service pursuant to D.N.J. LBR 9013-5(f) within two (2) days after entry of this Order.

8. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Exhibit A

Schedule of Assumed Construction Contracts

1300 Manhattan – Union City

Counterparty	Contract^{1, 2}	Cure Amount
Union City Board of Education	Agreement For the Payment of Parking Fees Between the City of Union City Board of Education and Manhattan Avenue Capital LLC dated November 30, 2021	\$100,000.00
DMR Construction Services, Inc.	AIA Standard Form of Agreement dated September 10, 2019 ³	\$207,491.07

¹ Each contract listed herein shall include all amendments, supplements, schedules, change orders, purchase orders, and other addendum relating thereto.

² The Debtors are not assuming any joint venture or similar agreements with the applicable contract counterparties.

³ For the avoidance of doubt, the Debtors assumption of the Subcontract Agreement with DMR Construction Services, Inc. shall not include assumption of that certain *Joint Venture Agreement (JVA) Between National Realty Investment Advisors & DMR Construction Services Inc.* dated August 17, 2019. The Debtors are currently reviewing and analyzing the JVA with their professionals and reserve all of their rights with respect thereto.

62-68 69th St - Guttenberg

Counterparty	Contract^{4, 5}	Cure Amount
D&B Service Group LLC	Proposal dated December 17, 2021	\$613,817.99

⁴ The Debtors' assumption of each Construction Contract shall include all amendments, supplements, schedules, and purchase orders relating thereto.

⁵ The Debtors are not assuming any joint venture or similar agreements with the applicable contract counterparties.

4901 Bergenline – West New York

Counterparty	Contract^{6, 7}	Cure Amount
Advanced Scaffolding Services LLC	Subcontract Agreement dated December 9, 2020 and effective December 9, 2020	\$1,843.00
All-City Metal, LLC	Subcontract Agreement dated October 29, 2019 and effective November 12, 2019	\$0.00
All State Electrical Construction	Subcontract Agreement dated May 28, 2021 and effective June 1, 2021	\$67,837.00 ⁸
API Contractors	Subcontract Agreement dated June 18, 2021 and effective June 18, 2021	\$0.00
BYN Iron Works	Subcontract Agreement dated August 9, 2021	\$0.00
Construction Pros, LLC	Subcontract Agreement dated December 18, 2019 and effective January 1, 2020	\$0.00
Core Glazing Solutions, LLC	Subcontract Agreement dated November 16, 2020 and effective November 16, 2020	\$69,090.00
Custom Stone by Frank, LLC	Subcontract Agreement dated June 9, 2021 and effective June 10, 2021	\$0.00
Devine Roofing and Contracting LLC	Subcontract Agreement dated June 18, 2021 and effective June 18, 2021	\$96,172.00

⁶ Each contract listed herein shall include all amendments, supplements, schedules, change orders, purchase orders, and other addendum relating thereto.

⁷ The Debtors are not assuming any joint venture or similar agreements with the applicable contract counterparties.

⁸ Such amount is subject to further reconciliation between the Debtors and All State Electrical Construction.

DMR Construction Services, Inc	AIA Standard Form of Agreement dated September 10, 2019 ⁹	\$522,894.30
Dyer Insulations	Subcontract Agreement dated August 2, 2021	\$0.00
Fredon Welding and Iron Works	Subcontract Agreement dated February 19, 2021 and effective February 19, 2021	\$0.00
HVAC Boss LLC Heating & Cooling	Subcontract Agreement dated April 18, 2020 and effective September 14, 2020	\$18,000.00
Johnson Fitness and Wellness	Subcontract Agreement dated September 13, 2021 and effective September 13, 2021	\$0.00
Klaus America Parking Systems	Subcontract Agreement dated October 23, 2019 and effective November 6, 2019	\$0.00
Kone, Inc.	Subcontract Agreement dated October 22, 2019 and effective November 5, 2019	\$0.00
Marble Systems	Purchase Order dated June 7, 2021	\$0.00
Meli Plumbing & Heating, Inc.	Subcontract Agreement dated January 27, 2020 and effective February 10, 2020	\$146,399.89
Millennium Fire Protection	Subcontract Agreement dated October 23, 2019 and effective November 6, 2019	\$0.00
Monitex Security Inc.	Subcontract Agreement dated May 24, 2021 and effective May 24, 2021	\$4,529.00

⁹ For the avoidance of doubt, the Debtors assumption of the Subcontract Agreement with DMR Construction Services, Inc. shall not include assumption of that certain *Joint Venture Agreement (JVA) Between National Realty Investment Advisors & DMR Construction Services Inc.* dated August 17, 2019. The Debtors are currently reviewing and analyzing the JVA with their professionals and reserve all of their rights with respect thereto.

MT General Contractors, INC.	Subcontract Agreement dated August 27, 2021	\$34,129.00
Respro Cabinets LLC	Purchase Order dated June 24, 2021	\$31,500.00
Roy Rock, LLC	Subcontract Agreement dated January 20, 2020 and effective January 3, 2020	\$0.00
Tile it and more	Subcontract Agreement dated May 28, 2021 and effective June 1, 2021	\$201,166.00
Translucent Security, LLC	Subcontract Agreement dated September 15, 2021 and effective September 15, 2021 Subcontract Agreement dated December 20, 2019 and effective January 3, 2020 Subcontract Agreement dated September 27, 2021 and effective September 27, 2021	\$40,025.00
Valex Enterprises	Subcontract Agreement dated February 8, 2021 and effective February 8, 2021	\$131,920.00
Virtual Service (VDM)	Subcontract Agreement dated September 15, 2021 and effective September 15, 2021	\$0.00

508 51st and 511 52nd St – West New York

Counterparty	Contract^{10, 11}	Cure Amount
Sordoni Construction	AIA Standard Form of Agreement dated July 9, 2021	\$2,236,936.85
Francisco Crespo	Lease Agreement dated September 1, 2021	\$0.00

¹⁰ Each contract listed herein shall include all amendments, supplements, schedules, change orders, purchase orders, and other addendum relating thereto.

¹¹ The Debtors are not assuming any joint venture or similar agreements with the applicable contract counterparties.